

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Charlene Broker,

Civil No. 04-1664 (DWF/JGL)

Plaintiff,

v.

ORDER

Jo Anne B. Barnhart,
Commissioner of Social Security,

Defendant.

Steven M. Bradt, Esq., Cuzzo Bradt & Envall, counsel for Plaintiff.

Lonnie F. Bryan, Esq., Assistant United States Attorney, United States Attorney's Office, counsel for Defendant.

Based upon the Report and Recommendation by Chief United States Magistrate Judge Jonathan Lebedoff dated August 5, 2005; all the files, records and proceedings herein; and no objections having been filed to that Report and Recommendation;

IT IS HEREBY ORDERED:

1. Plaintiff's Motion for Summary Judgment (Doc. No. 13) is **DENIED**; and
2. Defendant's Motion for Summary Judgment (Doc. No. 21) is **GRANTED**.

Dated: August 26, 2005

s/Donovan W. Frank
DONOVAN W. FRANK
Judge of United States District Court